

Notice of Allowability

Application No.

09/788,208

Examiner

Ella Colbert

Applicant(s)

IVERSEN, JORN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06 july 2007 and 20 September 2007.
2. ☒ The allowed claim(s) is/are 75,77-90,92-103 and 138-162.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/20/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. Claims 75, 77-90, 92-103, 138-163 are pending in this communication filed 7/06/07 entered as Response After Non-Final Action (Notice of Informal or Non-Responsive Amendment).
2. The 35 USC 112 second paragraph rejection for claims 75, 90, 138, and 151 is hereby withdrawn.
3. The amendments to the Specification have been reviewed and accepted.
4. The Drawing Objections have been overcome by Applicant's amendment to the Specification and are hereby withdrawn.
5. An amendment to the record appears below. The authorization for this amendment was given in an e-mail from Applicant's Representative, Ms. Christine Genge, on September 20, 2007.

75. (Currently amended) An apparatus for providing liquidity to a seller who has provided value to a buyer, said apparatus comprising:
a receiving module configured to:

receive a notification defining information pertaining to the provided value, which has resulted in a negotiable instrument issued by the buyer intended for the seller; and

receive the negotiable instrument issued by the buyer intended for the seller, said negotiable instrument having an extended maturity date;
and

a calling module configured to:

upon receipt by the receiving module of the negotiable instrument issued by the buyer intended for the seller, call upon a capital pool to purchase an interest in said negotiable instrument; and send a portion of the value of said negotiable instrument to the seller prior to said extended maturity date.

An Examiner's Amendment appears below.

Claim 84 has been amended by the Examiner as follows:

84. (Currently Amended) The apparatus as defined in claim [76] 75 further comprising storage configured to store said negotiable instrument and said notification.

Allowable Subject Matter

6. Claims 75, 77-90, 92-103, and 138-163 are allowed.
7. The following is an examiner's statement of reasons for allowance: The closest prior art (US 7,155,409 Stroh discloses a trade finance method and negotiable instruments, but fails to disclose an apparatus and a method for calling upon a capital pool to purchase an interest in the negotiable instrument and send a portion of the value of the negotiable instrument to the seller prior to the extended maturity date in claims 75, 90, and 138, and in claim 151 purchasing the negotiable instrument from the seller by calling upon a capital pool and tendering an amount of money to the seller such that the amount of money is a portion of the value of the negotiable instrument. Graber (US

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5,963,923) discloses a principle market maker and trading to maintain a market for currencies, but fails to disclose an apparatus and a method for calling upon a capital pool to purchase an interest in the negotiable instrument and send a portion of the value of the negotiable instrument to the seller prior to the extended maturity date in claims 75, 90, and 138, and in claim 151 purchasing the negotiable instrument from the seller by calling upon a capital pool and tendering an amount of money to the seller such that the amount of money is a portion of the value of the negotiable instrument.

The dependent claims 77-89, 92-103, 139-150 and 152-163 are also allowed by their dependency.

It appears that the instant invention is beyond the skill of one of ordinary skill in the art. Accordingly the invention would NOT have been obvious because one of ordinary skill could not have been expected to achieve it, NOR would they have been able to predict the results, and as such, they would have had no capability of expecting success.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741.


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The examiner can normally be reached on Monday, Wednesday, and Thursday,
5:30AM-3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 26, 2007


ELLA COLBERT
PRIMARY EXAMINER